

### ***AMENDMENT TO THE DRAWINGS***

1. The Applicant has corrected the second FIG. 11 to correctly indicate FIG. 13.
2. The Applicant has corrected minor typographical errors in FIG. 13 to have the figure labels in FIG. 13 corresponds with the text in the description. More specifically, the Applicant corrected one light source **1340** to light source **1330** to be consistent with the text on page 18 third paragraph. The Applicant further corrected light beam **1334** to light beam **1342** to be consistent with the text on page 18 third paragraph. No new matter was introduced.

## **REMARKS**

### ***AMENDMENT TO THE CLAIMS***

1. Independent claim 1 is amended to include objected claim 4, which depended from claim 1 and would be allowable if rewritten in independent form including all of the limitations of the base claim. Claim 4 is cancelled from the application.
2. Independent claim 24 is amended to include objected claim 22. Claim 22 would be allowable if rewritten in independent form including all of the limitations of the base claim. Claim 22 is cancelled from the application. New claims are added to the application and depend from independent claim 24. These new claims are listed as 37-48. The newly added claims are similar, yet rearranged, to the dependent claims listed under claim 1. Consequently no new matter has been added.
3. Independent claim 25 is amended to include objected claim 29, which depended from claim 25 would be allowable if rewritten in independent form including all of the limitations of the base claim. Claim 29 is cancelled from the application.
4. Dependent claims 15, 16, 23, 30, 31, and 36 were amended to ensure proper antecedent basis from their respective independent claims.

***CLAIM REJECTION UNDER 35 USC 112***

Claims 35 and 36 are pending and rejected under U.S.C. 112 second paragraph. Claim 35 recited the limitation “said toothpick”.

In reply, the Applicant has amended claim 35 and deleted “to said toothpick”. This amendment makes the rejection obsolete. The Applicant kindly requests the rejection under U.S.C. 112 second paragraph to be removed.

***CLAIM REJECTION UNDER 35 USC 102***

2. Claims 1, 3, 5, 8, 11-15, 18-20, 24-28 are pending and rejected under 35 U.S.C. 102(b) as being anticipated by *Takeuchi* (U.S. Patent No. 5,271,734).

In reply, the Applicant would like to point out that independent claims 1, 24 and 25 have been amended to include an objected dependent claim that would be allowable if rewritten in independent form including all of the limitations of the base claim. These amendments make this rejection obsolete. The Applicant kindly requests the rejection under 35 U.S.C. 102(b) for claims 1, 3, 5, 8, 11-15, 18-20, 24-28 to be removed.

2. Claims 1, 2, 9, 10, 15-21, 25, 28, 31, 33 and 34 are pending and rejected under 35 U.S.C. 102(b) as being anticipated by *Altshuler* which is of record with U.S. Patent No. 6,026,828.

In reply, the Applicant would like to point out that independent claims 1 and 25 have been amended to include an objected dependent claim that would be allowable if rewritten in independent form including all of the limitations of the base claim. These amendments make this rejection obsolete. The Applicant kindly requests the rejection under 35 U.S.C. 102(b) for claims 1, 2, 9, 10, 15-21, 25, 28, 31, 33 and 34 to be removed.

3. Claims 1, 3, 5, 6, 12-14 and 17-19 are pending and rejected under 35 U.S.C. 102(b) as being anticipated by *Brattesani* (U.S. Patent No. 5,423,677).

In reply, the Applicant would like to point out that independent claim 1 has been amended to include an objected dependent claim that would be allowable if rewritten in independent form including all of the limitations of the base claim. These amendments make this rejection obsolete. The Applicant kindly requests the rejection under 35 U.S.C. 102(b) for claims 1, 3, 5, 6, 12-14 and 17-19 to be removed.

4. Claims 1-3, 6-8, 13, 17-20 and 24 are pending and rejected under 35 U.S.C. 102(b) as being anticipated by *Davis* (U.S. Patent No. 6,304,712).

In reply, the Applicant would like to point out that independent claims 1 and 24 have been amended to include an objected dependent claim that would be allowable if rewritten in independent form including all of the limitations of the base claim. These amendments make this rejection obsolete. The Applicant kindly requests the rejection under 35 U.S.C. 102(b) for 1-3, 6-8, 13, 17-20 and 24 to be removed.

***CLAIM REJECTION UNDER 35 USC 103***

1. Claim 32 is pending and rejected under 35 U.S.C. 103 as being unpatentable over *Takeuchi* (U.S. Patent No. 5,271,734) in view of Meyers (U.S. Patent No. 6,019,605).

In reply, the Applicant would like to point out that independent claim 25 has been amended to include an objected dependent claim that would be allowable if rewritten in independent form including all of the limitations of the base claim. This amendment makes the rejection of dependent claim 32 obsolete. The Applicant kindly requests the rejection under 35 U.S.C. 103 for claim 32 to be removed.

***ALLOWABLE SUBJECT MATTER***

1. Claims 4, 22, 23, 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In reply, the Applicant thanks the Examiner for identifying allowable subject matter. Each rejected independent claim was amended to include a limitation of one of these objected claims.

2. Claims 35 and 36 are allowable if rewritten in independent to overcome the rejections under 35 U.S.C. 112, second paragraph.

In reply, the Applicant has amended claim 35, which makes the rejection of claims 35-36 under 35 U.S.C. 112, second paragraph obsolete.

## ***DRAWINGS***

1. The drawings are objected to because two figures are labeled Fig. 11 and there is no Fig. 13.

In reply, the Applicant has amended the figures to correctly indicate FIG. 13. With this amendment the objection to the drawings has become obsolete. The Applicant kindly requests the objection to the drawings to be removed.



## CONCLUSION

Applicant respectfully submits that the claims now in the application are in a condition of allowance. Accordingly, allowance of the claims now in the application is kindly requested.

Respectfully submitted,

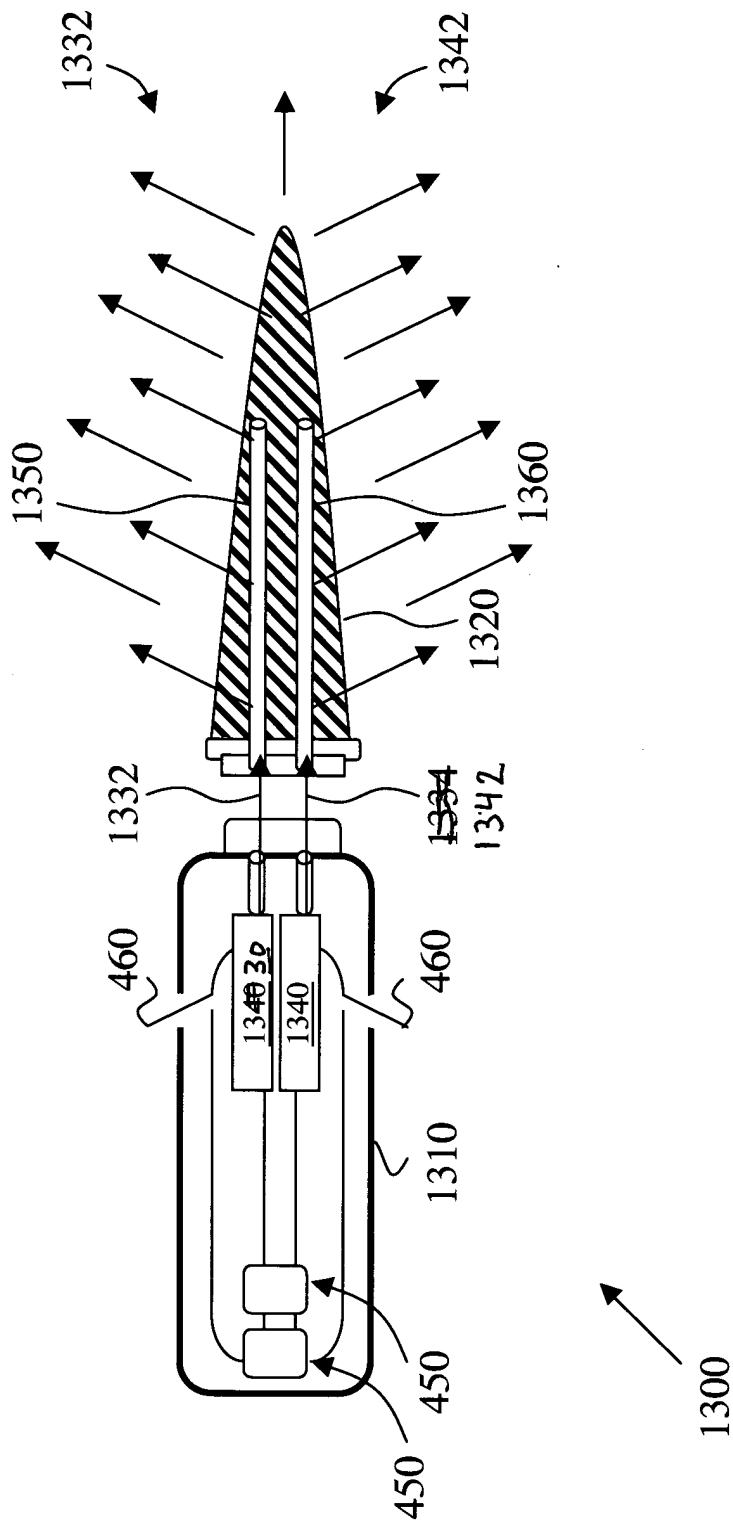


Ron Jacobs  
Reg. No. 50,142  
LUMEN Intellectual Property Services  
2345 Yale Street, 2<sup>nd</sup> Floor  
Palo Alto, CA 94306-1429

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Phone: (650) 424-0100  
Fax: (650) 424-0141  
Email: ron@lumen.com

Figure 13

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ANNOTATED MARKED-UP DRAWING